

February 28, 2006
Seven o'clock P.M.
North Little Rock City Hall Council Chambers
300 Main Street
North Little Rock, Arkansas

A Special Call meeting of the North Little Rock City Council scheduled for Tuesday, February 28, 2006, was called to order at 7:05 p.m. by the honorable Mayor PATRICK HENRY HAYS. The roll having been called, and the following Aldermen answered to their names: MARTIN GIPSON, NEIL BRYANT, LINDA ROBINSON, OLEN THOMAS, JOHN PARKER, CHARLIE HIGHT and MURRY WITCHER, a quorum was declared (7/0). Alderman GARY BERRY, was absent. City Clerk Diane Whitbey and Deputy City Attorney Jason Carter were also present.

Mayor Hays announced the special call scheduled for 7:05 p.m., Tuesday, February 28, 2006.

February 27, 2006

Honorable Members of the City Council

Re: Special Council Meeting

Dear Members of the City Council:

This is to advise that we have called a special Council meeting of the North Little Rock City Council for 7:05 p.m. on February 28, 2006, at City Hall, Council Chambers, North Little Rock, Arkansas. The following will be on the agenda:

- 1)

A RESOLUTION EXPRESSING THE CITY’S DESIRE FOR SUBSTANTIALLY SIMILAR WATER SERVICE FOR ITS RESIDENTS AT A UNIFORM PRICE; OBJECTING TO ANY AGREEMENT TO THE CONTRARY; AND FOR OTHER PURPOSES.
Sponsored by: Mayor Patrick H. Hays
- 2)

AN ORDINANCE APPROVING AND AUTHORIZING A UNIT POWER PURCHASE AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE MISSOURI JOINT MUNICIPAL ELECTRIC UTILITY COMMISSION WITH RESPECT TO THE PURCHASE OF CAPACITY AND ENERGY FROM THE PROPOSED PLUM POINT ELECTRIC STATION PURSUANT TO THE PROVISIONS OF ARKANSAS CODE ANNOTATED SECTIONS 25-20-101 ET SEQ. AND ARKANSAS CODE ANNOTATED SECTIONS 14-202-101 ET SEQ; AUTHORIZING THE EXECUTION OF THE UNIT POWER PURCHASE AGREEMENT BY THE MAYOR AND CITY CLERK; DECLARING AN EMERGENCY; AND SETTING A REFERENDUM PERIOD.
Sponsored by: Mayor Patrick H. Hays

Respectfully submitted,
/s/ Patrick H. Hays
MAYOR PATRICK H. HAYS

The law requires that you be notified of the time, place and subject matter of any specially called Council meeting. This notice does not require any special written formalities or waivers on your behalf, unless you are notified within a 24-hour period prior to the special meeting.

It is requested that each of you sign the cover letter simply to indicate that you have been informed of the nature and time of the meeting. However, please be aware that your signature is not required unless a period of less than 24 hours remains before the designated time for the meeting and you have not previously received notice.

This will evidence that I have received this notice of a special Council meeting for 7:05 p.m., Tuesday, February 28, 2006, at City Hall, Council Chambers, North Little Rock, and waive time of notice.

/s/ Martin Gipson
MARTIN GIPSON

/s/ Gary Berry
GARY BERRY

/s/ Neil Bryant
NEIL BRYANT

/s/ John Parker
JOHN PARKER

/s/ Olen Thomas
OLEN THOMAS

/s/ Murry Witcher
MURRY WITCHER

/s/ Linda Robinson
LINDA ROBINSON

/s/ Charlie Hight
CHARLIE HIGHT

SPECIAL CALL #1 (RESOLUTION NO. 6906 - MAYOR HAYS)
A RESOLUTION EXPRESSING THE CITY’S DESIRE FOR SUBSTANTIALLY SIMILAR WATER SERVICE FOR ITS RESIDENTS AT A UNIFORM PRICE; OBJECTING TO ANY AGREEMENT TO THE CONTRARY; AND FOR OTHER PURPOSES, was read. A motion to adopt was made by Alderman Witcher and seconded by Alderwoman Robinson. Mayor

Hays introduced Water Board Commissioner Eddie Powell and advised a recently annexed area of undeveloped land is under the jurisdiction of the Grand Prairie Regional Water District. Grand Prairie has sought an arrangement with Central Arkansas Water (CAW) to provide CAW’s water to present and future residents of the Bay Meadows and Fulkerson Lands at a

dramatically increased price. Mr. Powell said there are legal issues regarding assuming the area. Mayor Hays said compensation could be required. North Little Rock has certain requirements pertaining to water provided to its residents. Mr. Jason Carter said this is a national issue and case law is being developed. A lot has to do with who has pipes in the ground. Alderman Thomas advised there are areas where CAW water is desired because water pressure is so bad people can hardly take a shower. Mr. Powell said CAW lines are right at or very near the property in question. CAW would be required to service the area once it was annexed. Mayor Hays clarified the City does not object to CAW selling water to Grand Prairie, but wants to see all citizens provided water service in both quality and quantity, at a uniform price, and specifically excluding franchise fees. On the previous motion, and all members present having voted in the affirmative, the resolution was adopted (7/0).

SPECIAL CALL #2 (ORDINANCE NO. 7798 - MAYOR HAYS)

AN ORDINANCE APPROVING AND AUTHORIZING A UNIT POWER PURCHASE AGREEMENT BETWEEN THE CITY OF NORTH LITTLE ROCK AND THE MISSOURI JOINT ELECTRIC UTILITY COMMISSION WITH RESPECT TO THE PURCHASE OF CAPACITY AND ENERGY FROM THE PROPOSED PLUM POINT ELECTRIC STATION PURSUANT TO THE PROVISIONS OF ARKANSAS CODE ANNOTATED SECTIONS 25-20-101 ET SEQ.; AND ARKANSAS CODE ANNOTATED SECTIONS 14-202-101 ET SEQ.; AUTHORIZING THE EXECUTION OF THE UNIT POWER PURCHASE AGREEMENT BY THE MAYOR AND CITY CLERK; DECLARING AN EMERGENCY; AND SETTING A REFERENDUM PERIOD, was read. On the motion of Alderman Witcher and seconded by Alderman Gipson, and by consent of all members present, the rules were suspended and the ordinance was placed on its second reading (7/0). On the motion of Alderman Gipson and seconded by Alderman Bryant, and by consent of all members present, the rules were again suspended and the ordinance was placed on its third and final reading. The ordinance was read a third and final time. Mayor Hays advised similar legislation was adopted recently. This ordinance would insure that everything was taken care of and include a 30 day referendum period. The closing date is March 8, 2006. Mr. Joe Gertsch, Director of North Little Rock Electric Department advised the closing will take place before the 30 day referendum period expires. A number of options have been considered. The power pool would assume risks for a fee of approximately \$180,000.00. Alderman Gipson said this is basically insurance for the city. Sometime within the next month, Alderman Gipson would like to see a list or projection with regard to Plum Point costs. Mayor Hays said bond counsel will need to be hired. On the motion of Alderman Gipson and seconded by Alderman Bryant, the ordinance was amended as follows: *strike the following language in 7.2 (c) To the extent that MJMEUC is not able to capitalize any costs related to PPES* ~~*MJMEUC shall charge City for, and City shall pay, City's Purchase Percentage of such costs on an ongoing basis and replace with*~~ MJMEUC SHALL CHARGE CITY FOR AND CITY SHALL PAY, ON AN ONGOING BASIS, CITY'S PURCHASE PERCENTAGE OF ALL PPES COSTS THAT MJMEUC HAS NOT CAPITALIZED (7/0). Alderman Witcher asked if a Facilities Study had been completed. Mr. Gertsch advised an Impact Study has been completed. On the motion of Alderman Hight and seconded by Alderman Bryant, and the roll having been called, and all members present having voted in the affirmative, the ordinance was adopted as amended (7/0). Emergency clause adopted (8/0).

There being no further business to come before the Council, and on the motion of Alderman Witcher and seconded by Alderman Hight, and by consent of all members present, the meeting adjourned at 7:45 p.m. (7/0), until the next regular meeting to be held on Thursday, March 16, 2006, at seven o'clock p.m. in the City Council Chamber in City Hall, located at 300 Main Street, North Little Rock, Arkansas.

APPROVED: MAYOR PATRICK HENRY HAYS
ATTEST: DIANE WHITBEY, CITY CLERK